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Attorney's Docket No. 2087-010262

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Serial No.: 09/788,268 Filing Date: February 16, 2001
Examiner: Ardin H. Marschel Group Art Unit: 1631
Invention: Methods and Products for Peptide Based DNA Sequence Identification and Analysis

Transmitted herewith is an Amendment in the above-identified application.

- ☒ Small Entity Status is/has been asserted for this application under 37 CFR 1.27.
☐ A verified statement to establish small entity status under 37 CFR 1.27 is enclosed.
☒ No additional fee is required.
☐ The fee has been calculated as shown below:

No of Claims After Amendment	Highest No. Previously Paid For	Present Extra	Small Entity Rate	Non-Small Entity Rate	Charge
Total <u>80</u>	<u>80</u>	<u>0</u>	x \$ <u>9.00</u>	x \$ <u>18.00</u>	\$ <u>0</u>
Indep. <u>12</u>	<u>12</u>	<u>0</u>	x \$ <u>43.00</u>	x \$ <u>86.00</u>	\$ <u>0</u>
First Presentation of Multiple Dependent Claim/s			+ \$ <u>145.00</u>	+ \$ <u>290.00</u>	\$ <u>0</u>
TOTAL ADDITIONAL FEE					\$ <u>0</u>

- ☐ A check in the amount of \$ is enclosed to cover the filing fee.
☐ A check in the amount of \$ is enclosed for a -month Petition for Extension of Time.
☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. An original and two copies of this sheet are enclosed.
☒ Any additional filing fees required under 37 CFR 1.16.
☒ Any patent application processing fees under 37 CFR 1.17.

October 9, 2003
Date

By

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 9, 2003.

Kimberly N. Welday
(Typed Name of Person Mailing Paper)

Signature

Date



Application No. 09/788,268
Paper Dated: October 9, 2003
In Reply to USPTO Correspondence of September 9, 2003
Attorney Docket No. 2087-010262

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/788,268
Applicant : Jonathan W. Jarvik
Filed : February 16, 2001
Title : Methods and Products for Peptide Based DNA Sequence
Identification and Analysis
Group Art Unit : 1631
Examiner : Ardin H. Marschel

ELECTION WITH PARTIAL TRAVERSE

Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

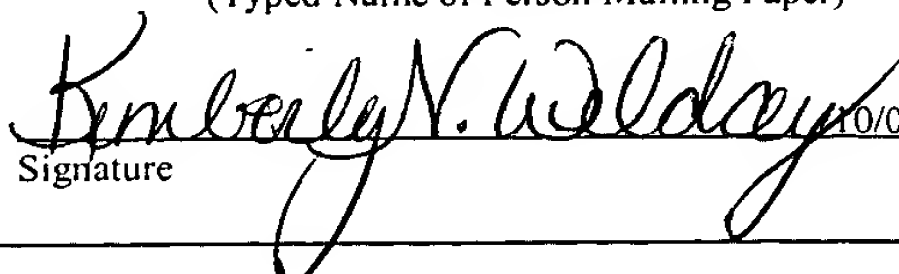
This is in response to the Office Action dated September 9, 2003, in which a shortened statutory period for reply was set for one month.

Applicant is making this election with partial traverse.

In response to the Action, Applicant hereby elects the claims of Group I and Species A, "mass." Regarding the claims which belong to Group I, it is believed that claims 1-14, 74-75 and 78-79 fall within Group I as the Examiner has defined it.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 9, 2003.

Kimberly N. Welday
(Typed Name of Person Mailing Paper)


Signature Date 10/09/2003

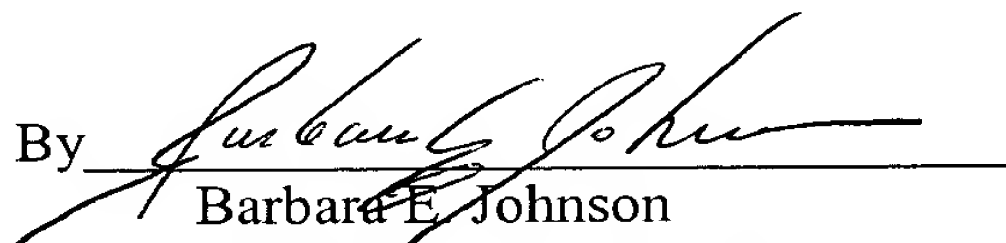
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In partial traverse of the restriction requirement, Applicant asks that Groups I and II be rejoined and examined together. Not only has the Examiner acknowledged that the claims of both Groups I and II are classified in the Manual of Classification in Class 435, subclass 6, the polynucleotide sequences (Group I) and the functions (Group II) have the same genetic information in common. Therefore, Applicant respectfully requests that the claims of Group I and II, Species A, be examined together.

Applicants reserve their right to file at a later time a divisional application directed to the non-elected claims. Pursuant to 37 C.F.R. § 1.48(b), there is no change in inventorship as a result of this election.

Applicant will be submitting an Information Disclosure Statement in due course, and it is hoped that the Examiner will consider it prior to taking any substantive action.

Respectfully submitted,
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